

EXHIBIT 46

Monday, June 24, 2013 3:10:08 PM Pacific Daylight Time

Subject: RE: FlatWorld v. Apple, Case No. 12-01956-Third Party Production
Date: Thursday, June 20, 2013 1:26:34 PM Pacific Daylight Time
From: Mark Carlson
To: Michael Pieja, Steve Berman, Ryan Meyer, J. D. Scholten
CC: Flatworld NDCA

Mike,

During our meet and confer regarding Exhibit 16, Mr. Shimota asked me whether we are withholding any other documents reflecting communications with John McAleese. I said I knew we were not withholding any responsive documents, but I could not say whether Hagens Berman had any non-produced documents that were not responsive to Apple's requests. I have checked and confirmed that the documents attached to your email include all of the non-produced emails between Mr. McAleese and Hagens Berman, except for the recent emails between Mr. McAleese and Mr. Berman regarding an employment matter referred to in our opposition brief, which are privileged. If responsive to your recent fourth document requests, these will be logged following our production of whatever responsive non-privileged documents we have. In sum, you now have all non-privileged documents reflecting any communication between Mr. McAleese and HB in HB's possession, custody or control.

Mark Carlson | **Hagens Berman Sobol Shapiro LLP** | Direct: (206) 268-9346

From: Jaime Smith [mailto:jsmith@bridgesmav.com]
Sent: Thursday, June 20, 2013 11:54 AM
To: Mark Carlson; Steve Berman; Ryan Meyer; J. D. Scholten
Cc: Flatworld NDCA
Subject: FlatWorld v. Apple, Case No. 12-01956-Third Party Production

Counsel,

Please see attached letter from Mike Pieja and accompanying production from Morgan Lewis.

Best,
Jaime

Jaime Smith | Senior Legal Assistant | Bridges & Mavrakakis LLP
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